



**MINUTES OF MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 24, 2001, 8:00 p.m.**

MEETING

The Regular Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Mayor Cooper.

ROLL CALL

Present: COUNCIL MEMBERS Jimenez, Hilson,
Rodriguez, Ward, Dowling, Henson
MAYOR Cooper
Absent: None

PRESENTATION: National Volunteer Week Recognitions

In recognition of National Volunteer Week, Mayor Cooper presented Certificates of Appreciation to the Hayward Animal Services Volunteers, the City Hall Information Desk Volunteers, the Hayward Police Department Volunteers, Hayward Public Safety Ambassadors, and the Hayward Public Library Volunteers for their services to the City of Hayward, April 2000 – April 2001.

Environmental Achievement Awards to Schools, Residents and Businesses

Mayor Cooper asked Council Member Hilson, Chair of the Council's Environmental Committee, and Ed Mullins from the Hayward Chamber of Commerce to assist in presenting the 2001 Neighborhood Environmental Achievement Awards to various Hayward residents, schools, and businesses.

PUBLIC COMMENTS

Jason Moreno, 25200 Carlos Bee Boulevard, commented on outcomes to tenant concerns regarding the Heritage apartments.

Francisco Abrantes, 22815 Alice Street, commented on a call that he made to the police department and submitted information related to an abandoned vehicle.

Marlene Teel, 104 Newhall, commented favorably on the proposed Calpine generator.

Lionel Pacheco, 115 Turlock Way, commented on the need for replacement of police patrol vehicles as well as the need to improve the police facility.

Kimberly Mcquillen, 444 Schaffer Road, showed a photo of a house and the alleged drug use there. She also indicated that the nearby park on Langley Street is a gathering area for gang activity.

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Jim Drake, 25795 Franklin Avenue, spoke on community needs and the need for improved police services.

Henry G. Villalobos, 584 Ainslee Court, requested a sign that states "not a through street" for his neighborhood in order to eliminate speeding and other traffic problems.

Lawrence Ferguson, 26207 Coleman Avenue, commented on the volunteer efforts performed by Mr. Pacheco in the Huntwood neighborhood.

CONSENT

1. Approval of Minutes of the City Council Meeting of April 10, 2001

It was moved by Council Member Dowling, seconded by Council Member Henson, and unanimously carried to approve the Minutes of the Meeting of the City Council of April 10, 2001.

2. Authorization of Execution of an Agreement for Worker's Compensation Claims Administration Services

Staff report submitted by Employee Relations Director Perrin-Scales, dated April 24, 2001, was filed.

It was moved by Council Member Dowling, seconded by Council Member Henson, and unanimously carried to adopt the following:

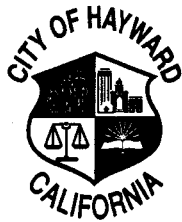
Resolution 01-051, "Resolution Authorizing the City Manager to Execute an Agreement with Innovation Claim Solutions, Inc. for Worker's Compensation Claims Administration Services"

3. Mt. Eden Sports Park Improvements - Authorization of an Amendment to the Agreement for Professional Services

Staff report submitted by Planning Manager Anderly, dated April 24, 2001, was filed.

It was moved by Council Member Dowling, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 01-052, "Resolution Authorizing the City Manager to Execute an Amendment to the Agreement between the City of Hayward and Singer & Hodges for Additional Professional Services to Prepare Plans and Specifications and a Cost Estimate for Mt. Eden Sports Park Improvements"



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LEGISLATIVE BUSINESS

4. Appropriation of Funds to Respond to Increase in Gang Activity

Staff report submitted by Deputy Chief Houghtelling, dated April 24, 2001, was filed.

City Manager Armas commented on discussions among the City, the School District and HARD for meaningful activities for youth this summer. He noted two schools, Winton and Chavez Middle Schools, had been chosen for these activities.

Chief of Police Calhoun further described this proposal and the recommendations made. He discussed the three elements, enforcement, intervention and prevention. He asked for an allocation of \$150,000 for additional enforcement in the community. Of this, \$50,000 would augment staff and over-time, \$20,000 for a counselor over the summer months to intervene with youth and family to try to break the cycle of gang and gang intervention. The additional money would add another gang intervention officer. Patrols would also be added to identify children who are habitual truants and those who are breaking the curfew. He noted that these two groups are found to be involved in gang activities, either as victims or as perpetrators. He also commented on the proliferation of guns in the City. He said the gun exchange program is successful and would like additional funds to add more.

Council Member Henson asked what are we doing jointly with other cities, since many of the gangs move between cities.

Chief Calhoun said our department has been working collaboratively with other south county cities as well as with the County Sheriff's Department. He noted that the dialogue and exchange of information continues. He said the Department would look at the needs of the community in developing the schedule of staff.

Council Member Hilson asked about the crime rate for the City of Hayward and how the gang activity affects those numbers. He then commented on the number of patrol officers and how they address and solve crimes. He then asked about other tools to confront gang activity problems, such as City Ordinances.

Chief Calhoun commented that the overall crime rate has gone down. However, more violent crime is being attributed to the youth in the community. He added that the patrol officers are always out there and are available for services; the rest of the Department augments them. He noted that there would not be a lot of gain with the change in ordinances at this time. They will bring back suggestions when necessary.

Council Member Dowling asked about the curfew patrol. He noted that he attended a number of the meetings between the Department and the neighbors and asked whether these will continue.

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Chief Calhoun responded that the curfew is 10 p.m. He suggested that the Department is in more of an intervention role in trying to bring kids and parents together in understanding the risk of violation of curfew. He commented on the "Trigger Lock" program, which involves the Federal court system when people have a history of weapons violations, which aids in the enhancement of prosecution. He said the Department was in hopes of having the community continue the meetings. He then commended those people who were working toward solutions.

Council Member Jimenez reiterated his recent pledge to support the Police Department in fighting crime.

Council Member Ward asked that staff consider the long-term efforts and suggested placing the short-term solutions into the longer view. He then commented on the hours between 3 p.m. and 6 p.m., which are designated as gang related activity times. He wondered whether the Council should not make a further allocation of resources to respond to the seriousness of the problem.

City Manager Armas responded that the three agencies are collaborating and making progress in this area. He also noted that staff was trying to establish a balance between the immediate needs and fiscal responsibility. He commented that staff would come back for more resources if necessary.

Chief Calhoun indicated that long-term solutions would consist of more community and parental involvement. He said that would come from the community.

Council Member Rodriquez asked how the Department would communicate with residents and students.

Chief Calhoun noted that they would be using the press, community organizations and the School District. He said they have also enlisted the aid of the faith-based community who are stepping forward to assist in intervention.

Mayor Cooper said she appreciates the extra truant officer. Mayor Cooper asked at what age is there "accountability" and what can be done to communicate the necessary consequences of such crimes, both positive and negative.

Chief Calhoun responded that this is a problem but he believes it has to start with the parents.

Mayor Cooper opened the public hearing at 9:30 p.m.

Leonel Pacheco, 115 Turlock Way, suggested that the PAL program be utilized. He challenged members to address the concerns of the Police Department and the City of Hayward by providing more officers.

Ande Brescia, 26081 Mocine, South Hayward Neighborhood Collaborative described the various community meetings. On behalf of the collaborative, she asked for several full and part-time positions to make this a more collaborative effort. She noted the bond developing between the Police Department and the community as a result of these meetings.



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Jason Moreno, 25200 Carlos Bee Boulevard, #252, discussed problems in the Police Department.

Lawrence Ferguson, 26207 Coleman Avenue, supported the Police Department and commented on the limited resources of the Department who do a thankless job and noted that our Police Department needs more support.

Paulo Pacheco, 115 Turlock Way, thanked the Chief for the job he is doing. He made some suggestions regarding gang interaction, such as picnics, sport competitions and youth meets. He noted that there are no more places for kids to play and go. He volunteered to work to create this interaction. He expressed concern with the number of police staff and described an incident where he intervened.

Mayor Cooper then commented on police response protocol for non-injury accidents.

Constanza Court, 35702 Chaplin Drive, Fremont, works with the La Familia. She noted that youth need help with programs, time and money. They need support to stay away from trouble. The programs need to be made more accessible.

Nada Clara, 25476 Belmont Avenue, works with La Familia. She commented that she felt that her community involvement has kept her from gang involvement. She suggested more youth, police, and community involvement to make a better Hayward.

Henry G. Villalobos, 584 Ainslee Court, spoke favorably on this proposal. He suggested high-tech computer classes be available to youth.

Robert Lopez, 369 Jane Court, suggested a gang summit be held. He said the youth need to be involved in determining their own future. It is important for the kids to know the police officers. He suggested there would never be enough money until you ask the kids to solve the problem.

Jim Drake, 25795 Franklin Avenue, discussed a drug-house in his neighborhood and asked if the Police Department owned a drug smelling dog.

Mayor Cooper closed the public hearing at 10:07 p.m.

Council Member Dowling thanked staff for bringing this proposal forward. He asked for progress reports on this proposal.

Council Member Jimenez commented on his support for improved police efforts to address gang activity.

Mayor Cooper indicated that Council would consider further funding, if necessary. She also thanked all of the young people from La Familia who attended the meeting.

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It was moved by Council Member Henson, seconded by Council Member Ward, and unanimously carried to adopt the following:

Resolution 01-053, "Resolution Amending Resolution 00-087, as Amended, the Budget Resolution for Fiscal Year 2000-2001, Relating to a Supplemental Appropriation of Funds to the Youth and Gang Violence Prevention Program"

5. Foothill Boulevard Median Landscaping - Grove Way to Apple Avenue: Award of Contract (*Continued from April 10, 2001*)

Staff report submitted by Deputy Director of Public Works Bauman, dated April 24, 2001, was filed.

Public Works Director Butler reiterated the staff report noting the issues and problems involved with the lowest bidder, DB Landscaping of Redding. He noted that staff investigates and does a background check of low bidders. Based on the information received from various resources, they recommended that Council find the lowest bidder as a non-responsible bidder and award the bid to the second lowest bidder, Contra Costa Landscaping of Martinez.

Council Member Henson asked whether there was a representative of DB Landscape present at this meeting. He also commented on the correspondence received, which delineated the positive comments from several other cities. Staff said they seem to be okay on smaller projects but felt that it was not enough to warrant awarding the bid to DB Landscape.

Council Member Ward asked whether there were any local bidders on the contract.

He was told that no Hayward contractors bid on this project. The closest bidder was from Fremont.

Council Member Jimenez asked for additional background related to DB Landscape and its litigation with other agencies.

He was told that the State is currently in litigation regarding their labor practices.

Mayor Cooper opened the public hearing at 10:18 p.m.

Lawrence Ferguson, 26207 Coleman Avenue, asked why this landscape project was being prioritized. He commented that Huntwood Avenue people have been asking for landscaping for many years.

Mayor Cooper closed the public hearing at 10:21p.m.

Council Member Jimenez stated that he would vote against DB Landscape since they were found to not provide a prevailing wage.

It was moved by Council Member Hilson, seconded by Council Member Rodriguez, and unanimously carried to adopt the following:



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Resolution 01-054, "Resolution Approving Addendum No. 1; Rejecting Low Bid; Awarding Contract to Contra Costa Landscaping, Inc. for the Foothill Boulevard Median Landscaping – Grove Way to City Limits Project, Project No. 6925; and Authorizing the City Manager to Execute Contract"

Resolution 01-055, "Resolution Authorizing An Appropriation of Funds for the Foothill Boulevard Median Landscaping – Grove Way to City Limits, Project No. 6925"

COUNCIL REPORTS

Council Member Dowling reported on an Association of Bay Area Government meeting he attended where he heard reports on affordable housing. He indicated that there are several proposals to encourage "smart growth," in cities, which would reward building housing near public transportation.

ADJOURNMENT

Mayor Cooper adjourned at 10:24 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward

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